

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROJELIO A. GUILLEN,
Petitioner,

v.

CLARK DUCART,
Respondent.

Case No. [16-cv-03637-WHO](#) (PR)

ORDER OF DISMISSAL

Dkt. No. 2

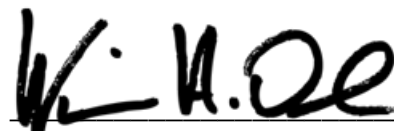
Petitioner Rojelio Guillen failed to comply with the Court's order to (1) file a complete application to proceed *in forma pauperis* ("IFP"), or (2) pay the filing fee of \$5.00. Accordingly, this federal habeas action is DISMISSED without prejudice for failing to respond to the Court's order, and for failure to prosecute, *see* Fed. R. Civ. P. 41(b). Because this dismissal is without prejudice, Guillen may move to reopen the action. Any such motion **must** contain (1) a complete IFP application, **or** (2) full payment for the \$5.00 filing fee.

Guillen's motion to proceed IFP (Dkt. No. 2) is DENIED as insufficient.

The Clerk shall terminate Dkt. No. 2, enter judgment in favor of respondent, and close the file.

IT IS SO ORDERED.

Dated: August 8, 2016



WILLIAM H. ORRICK
United States District Judge